

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SCOTT CIPRIANI	:	Civ. No. 4:12-CV-01335
	:	
Plaintiff,	:	(Judge Brann)
	:	
v.	:	
	:	
LIBERTY LIFE ASSURANCE	:	
COMPANY OF BOSTON	:	
	:	
Defendant.	:	

ORDER

May 21, 2014

AND NOW, in accordance with the Memorandum of this same date, **IT IS**
HEREBY ORDERED THAT:

1. Defendant's Motion for Protective Order (ECF No. 21) is GRANTED in part and DENIED in part.
2. Plaintiff may depose Stephanie Berry. Plaintiff may ask questions *only* in those areas of questioning as articulated in the accompanying Memorandum. Those topics include Plaintiff's proposed questions 3-6, and 15. Stephanie Berry's deposition shall take place in Dover, New Hampshire, by telephone, or at another place or by another medium and at a time agreed to by the Parties.

3. Plaintiff may depose Dr. Ronald D. DiSimone. Plaintiff may ask questions *only* on those topics articulated in the accompanying Memorandum, specifically: i) Dr. DiSimone's observation of flaws in the FCE and the concerns they elicit; ii) Dr. DiSimone's discussions with Dr. Marion and other Liberty Life representatives, where the substance of those conversations is not fully reflected in the administrative record. Dr. DiSimone's deposition shall occur at a time, place, and medium agreed to by the Parties.
4. For the sake of clarity, Defendant enjoys the right to make standing objections on the record and dispute the admissibility of any testimony at a later date.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge